

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALEKSAM, INC.,	:	
	:	
Plaintiff,	:	<u>ORDER REGULATING</u>
	:	<u>PROCEEDINGS</u>
-against-	:	
	:	21 Civ. 8116 (AKH)
AMERICAN EXPRESS TRAVEL RELATED	:	
SERVICES COMPANY INC.,	:	
	:	
Defendant.	:	
-----	X	

ALVIN K. HELLERSTEIN, U.S.D.J.:

A status conference was held to discuss further proceedings in the above-captioned matter.

Plaintiff's motion to stay the case (ECF No. 23) is denied. The Clerk of the Court shall terminate the open motion.

A *Markman* Hearing, *Markman v. Westview Inst., Inc.*, 517 U.S. 370 (1998), will be held on September 7, 2022, at 2:30 p.m., in Courtroom 14D, before any discovery takes place. No later than August 26, 2022, the parties jointly will submit a proposed claim construction chart with an appendix stating their respective positions. The chart will contain five columns: (1) claim phrases in dispute or requiring construction in the opinion of either party; (2) any prior rulings by the Texas courts or Federal Circuit on claim construction; (3) Plaintiff's proposed constructions; (4) Defendant's proposed constructions; and (5) the Court's construction, left blank for me to fill out.

The parties shall confer and establish a schedule for exchanging views and creating the chart, including setting dates for Plaintiff to provide its proposed inclusions to Defendant, for Defendant to respond, and for the parties to meet to finalize the chart for submission to the Court.

Immediately following the *Markman* Hearing on September 7, 2022, at 2:30 p.m., there will be a status conference to further regulate proceedings.

SO ORDERED.

Dated: July 15, 2022
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge